

<p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p>	<p>Policy Number</p> <p style="text-align: center;">27-21-01</p> <p>Date Filed</p> <p style="text-align: center;">January 12, 2005</p>	<p>Total Pages</p> <p style="text-align: center;">2</p> <p>Effective Date</p> <p style="text-align: center;">May 26, 2005</p>
<p>Authority/References</p> <p>KRS 196.035, 196.037, 237.110(13), 431.005, 439.430, 439.470, 439.570, 533.030, 533.050 P&P ACA standard 3-3093, 3-3094, 3-3095, 3-3096, 3-3097, 3-3202</p>	<p>Subject</p> <p style="text-align: center;">APPREHENSION OF PROBATION AND PAROLE OFFENDERS</p>	

I. DEFINITIONS

“Full restraints” means handcuffs, shackles and belly chain.

“Restraints” means a device used to restrict movement.

“Reasonable suspicion” means a less stringent standard than probable cause. Reasonable Suspicion requires no more than that the authority acting be able to point to specific and articulable facts that taken together with rationale inferences from those facts, reasonably warrant a belief that a condition of probation or parole has been or is being violated.

II. POLICY and PROCEDURE

A. Training Required

The officer shall be trained in the proper procedures for effecting an arrest by Corrections annually and use the procedures to effect the arrest. (3-3093)

B. Authority To Make An Arrest

A Probation and Parole officer’s authority to perform his duties or make an arrest is set forth in KRS 196.037(3) and KRS 431.005. (3-3093, 3-3094, 3-3095)

C. Making An Arrest

1. The officer shall request assistance from another officer or law enforcement officials, if possible, if making an arrest. The officer shall be equipped with proper restraints and equipment (3-3097).
2. The officers shall, if possible, conduct a pre-arrest briefing among the participating officers prior to initiating a planned arrest. (3-3096)
3. The officer shall inform the offender being arrested of the violation and the reason for which he is being arrested.

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4. The officer shall put the offender in restraints.
5. The officer shall search the offender upon an arrest.
6. If an offender is taken into custody or otherwise deprived of freedom, the officer may give the Miranda Warning to the alleged violator.
7. The Miranda warning shall be given if the officer believes information regarding other criminal charges may be obtained during questioning or detention of the alleged offender.
8. The officer shall take the offender to the local jail or detention facility or make arrangements with the local law enforcement official to transport the offender (3-3202).
9. When an offender is arrested for alleged violation of the conditions of release, the officer shall follow procedures outlined in CPP 27-19-01.

D. Transportation of offenders-refer to CPP 9.9